

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

NOVEMBER 7, 2006

COUNTY COMMISSIONERS

**Catherine C. Hanson, Chairman
Welton G. Cadwell, Vice Chairman
Jennifer Hill, District #1
Robert A. Pool, District #2
Debbie Stivender, District #3**

**Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

Formal and regular meetings of the Board of County Commissioners are typically held on Tuesdays. As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a work session during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. Work sessions do not take the place of the formal public hearing process during which public comment is heard and formal action is taken.

The Board and staff welcome written comments prior to any public meeting. Comments or questions regarding the subject matter of any Board action or workshop may be delivered by written comment to appropriate County staff or mailed to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778. Citizen input is also typically scheduled at the conclusion of public meetings on the first and third Tuesdays.

ITEMIZED AGENDA

November 7, 2006

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

July 25, 2006	Regular Meeting
August 22, 2006	Regular Meeting
October 3, 2006	Regular Meeting

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 18)

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office. – Acknowledge Receipt
2. Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending September 30, 2006. Disbursements due to Board: \$163,599.44. Same period, last year: \$158,871.78. – Acknowledge Receipt
3. Lake County Water Authority's Final Budget for Fiscal Year 2006/2007. – Acknowledge Receipt
4. Amended Budget for the Village Center Community Development District for Fiscal Year 2005/2006, in accordance with Chapter 190.008(2)(b)(c), Florida Statutes. - Acknowledge Receipt
5. Community Redevelopment Area (CRA) document for the City of Umatilla, which was approved at the Planning and Zoning Committee Meeting on September 12, 2006, and at the City Commission Meeting on September 19, 2006. - Acknowledge Receipt

6. 2005 Annual Report and Five Year Plan from the Lake County Water Authority Board of Trustees, in accordance with Chapter 2005-314, Laws of Florida. - Acknowledge Receipt
7. Annual Budget for City of Eustis for Fiscal Year 2006/2007. - Acknowledge Receipt
8. Notice Before the Public Service Commission - In re: Application for certificate to operate water utility in Lake County, by Colina Bay Water Company, LLC. Docket No. 060139-WU; Order No. PSC-06-0857-CO-WU; Issued: October 13, 2006.

Consummating Order By the Commission: By Order No. PSC-06-0775-PAA-WU, issued September 18, 2006, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore, ordered by the Florida Public Service Commission that Order No. PSC-06-0775-PAA-WU has become effective and final. It is further ordered that this docket shall remain open. By order of the Florida Public Service Commission this 13th day of October, 2006. - Acknowledge Receipt

9. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for October 24, 2006, to be held at 9:00 a.m., at the Brooksville Headquarters, 2379 Broad Street, Brooksville, Florida; and Approved Minutes of the Meeting of the Governing Board, held on July 31, 2006. - Acknowledge Receipt
10. Order Approving Transfer of Water and Wastewater Certificates in re Application for transfer of water and wastewater facilities to City of Leesburg, and cancellation of Certificate Nos. 627-W and 461-S in Lake County, by Lake Utility Company. - Acknowledge Receipt
11. Annexation Ordinance No. 922, from the City of Mount Dora, annexing by voluntary petition property located at 3750 Lake Center Loop, said property being contiguous to the City of Mount Dora. Passed and ordained the 17th day of October, 2006, by the City Council of the City of Mount Dora, Florida. - Acknowledge Receipt
12. Southwest Florida Water Management District Budget In Brief – Fiscal Year 2006-2007 Annual Service Budget, which was adopted by the Governing Board on September 26, 2006, pursuant to the provisions of Section 373.536(6)(a)(1), Florida Statutes. – Acknowledge Receipt

13. Before the Florida Public Service Commission – Notice of Commission Hearing to All Parties of Record and All Other Interested Persons – Docket No. 060644-TL. Petition to recover 2005 tropical system related costs and expenses by Embarq Florida, Inc.

Two public hearings will be held in the above referenced docket, to begin at the following times and places: Thursday, November 16, 2006 at 10:00 a.m. to 1:00 p.m. at the School Board of Lee County, Board Room, Dr. James A. Adams Public Education Center, at 2055 Central Avenue, Ft. Myers, Florida; and on Wednesday, December 13, 2006, at 10:00 a.m. to 1:00 p.m. (CST) at Ft. Walton Beach City Hall, City Commission Chambers, 107 Miracle Strip Parkway SW, Ft. Walton Beach, Florida.

Any person requiring some accommodation at the hearing, because of a physical impairment, should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission, by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). - Acknowledge Receipt

14. Annexation Ordinance No. 2006-41, from the City of Tavares, annexing approximately 1.2 acres, located on the eastern side of CR 561, approximately 750 feet north of the intersection of CR 561 and CR 448. Passed and ordained the 18th day of October, 2006, by the City Council of the City of Tavares, Florida. – Acknowledge Receipt
15. Ordinance No. 898, from the City of Mount Dora, annexing within the City approximately 290.73 acres, generally known as Wolf Stone Estates subdivision, located on the southwest corner of Wolf Branch Road and Round Lake Road. Passed and ordained the 3rd day of October, 2006, by the City Council of the City of Mount Dora. - Acknowledge Receipt
16. Annexation Ordinance No. 2005-47 (corrected Ordinance), previously distributed January 4, 2006, correcting scrivener's error, as noted in legal description (Exhibit A). - Acknowledge Receipt
17. Before the Florida Public Service Commission – Notice of Commission Hearing and Prehearing to All Parties of Record and All Other Interested Persons – Docket No. 060644-TL. Petition to recover 2005 tropical system related costs and expenses by Embarq Florida, Inc.

A one-day public hearing will be held in the above referenced docket, to begin at the following time and place: Thursday, January 4, 2007, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

Any person requiring some accommodation at the hearing, because of a physical impairment, should call the Division of Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission, by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). - Acknowledge Receipt

18. Notice of Public Hearing for Annexation and Rezoning, from the City of Groveland. The proposed Ordinances will be considered at the following public meetings:

Groveland City Council Meeting, as the Local Planning Agency, on November 6, 2006, at 7:00 p.m.; Groveland City Council Meeting on November 6, 2006, immediately following the LPA Meeting; and Groveland City Council Meeting on November 20, 2006, at 7:00 p.m. The meetings will be held at the Puryear Building, 243 S. Lake Avenue, Groveland, Florida.

Ordinance No. 2006-11-106 – Annexing approximately 22 acres generally located southwest of the intersection of US 27 and SR 19, into the City limits of the City of Groveland, Florida.

Ordinance No. 2006-11-107 – Reclassifying the zoning from AG and R-1, Lake County, to C-1, City of Groveland, for 22 +/- acres in the City of Groveland, owned by MPG Groveland, Ltd. and A. F. Hickman and H. A. Miller, Trustees, within the City of Groveland, Florida.

Ordinance No. 2006-11-108 – Reclassifying the zoning from AG, Lake County, and R-2, City of Groveland, to R-3, City of Groveland, for 37 +/- acres, owned by G.S. and P.A. Hart, Trustee, within the City of Groveland, Florida.

Recommendation: Acknowledge Receipt

19. Annual Report for August 16, 2005 through August 16, 2006 on the Development of Regional Impact for the Christopher C. Ford Central Park – Acknowledge Receipt.

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 22)

Budget

Tab 3

1. Budget transfer – Budget transfer – Renewal Sales Tax Capital Projects Fund, Department of Facilities Development and Management. Transfer \$12,840,165 from Buildings to Projects (Project 80010 – Downtown and South Tavares Expansion Project; Project 80050 – BCC Records Storage Facility; Project 80060 – Citrus Ridge Library; Project 80070 – Umatilla Health Clinic). The Department plans to utilize the project accounting module of the new financial software. The procedure to track projects requires a transfer from the budgeted major account line to assign an amount to each project number. The projects and amounts listed are part of the Fiscal Year 2007 adopted budget. The balances may be adjusted after the Clerk's County Finance office completes "old year" expenditures.

RECOMMENDATION: Approval

2. Resolution to amend the Law Enforcement Trust Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$838,049.00 deposited into Confiscated Property and provide appropriations for the disbursement for Other Current Charges and Obligations (\$768,049.00), Machinery and Equipment (\$50,000.00), and Aids to Private Organizations (\$20,000.00). Unanticipated revenue has been received into the Law Enforcement Trust Fund from confiscated property for funding the Sheriff's Office operating expenses.

RECOMMENDATION: Approval

3. Approval of request for payment of Lake County's dues for Florida Association of Counties membership for Fiscal Year 2007. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$26,694.00.

RECOMMENDATION: Approval

Community Services

Tab 4

- Approval and signature of revised Lake County Library System Interlibrary Loan Policy.

RECOMMENDATION: Approval

Tab 5 Approval of recommended library closings for calendar year 2007.

RECOMMENDATION: Approval

Tab 6 Approval and signature authorization of a proclamation recognizing November 16, 2007 as National Smoke-Out Day in Lake County.

RECOMMENDATION: Approval

Tab 7 Approve and authorize the Chairman to sign the FY 2006-07 Community Development Block Grant (CDBG) Partnership Agreement with Mid-Florida Community Services, Inc. in an amount not to exceed \$18,180.00 to transport senior citizens to congregate meal sites; and to direct the Community Services Department to execute the agreement and oversee completion of the project covered in the Scope of Services.

RECOMMENDATION: Approval

Tab 8 Approve and authorize the Chairman to sign the FY 2006-07 Community Development Block Grant (CDBG) Partnership Agreement with Mid-Florida Community Services, Inc. in an amount not to exceed \$18,180.00 to be used to deliver weekend meals to homebound senior citizens; and to direct the Community Services Department to execute the agreement and oversee completion of the project covered in the Scope of Services.

RECOMMENDATION: Approval

Tab 9 Approval of annual grant funding for fourteen children's service providers who have submitted applications for 2006-2007 County funds through the Citizens' Commission for Children (CCC) Request for Proposal (RFP) process; request authorization for signatures on subsequent agreements contingent on County Attorney approval; request authorization to encumber and expend funds.

RECOMMENDATION: Approval

Emergency Management

Tab 10 Approval and execution of the Emergency Management Preparedness and Assistance (EMPA) Trust Fund Base Grant Agreement with the State of Florida Division of Emergency Management.

RECOMMENDATION: Approval

Tab 11 Approval for (1) the FY 06-07 SHSGP Issue 6 Contract; and (2) the continuance of the part-time temporary position to perform required services.

RECOMMENDATION: Approval

Procurement

Tab 12 Approval of a one-time purchase to International Restaurant Distributors, Inc. for kitchen equipment to be installed in the Lake County Jail.

RECOMMENDATION: Approval

Public Works

Tab 13 Approve and execute a purchase agreement with Tina G. Bodnar, and authorize the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, for property within the Forest Hills/Lake Mack Flood Buy Out Program – Commission District 5.

RECOMMENDATION: Approval

Tab 14 Approve and execute a purchase agreement with William and Kathy Johnson, and authorize the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, for property within the Forest Hills/Lack Mack Flood Buy-Out Program – Commission District 5.

RECOMMENDATION: Approval

Tab 15 Approve and execute a purchase agreement with Cecile F. and Edgar Beaucher and authorize the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, for property within the Forest Hills/Lack Mack Flood Buy-Out Program – Commission District 5.

RECOMMENDATION: Approval

Tab 16 Request authorization to accept the final plat for Colina Bay and all areas dedicated to the public as shown on the Colina Bay final plat, accept a performance bond in the amount of \$1,106,897.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Colina Bay, LLC. Colina Bay consists of 73 lots and is located in Section 23, Township 22 South, Range 25 East – Commission District 3.

RECOMMENDATION: Approval

Tab 17 Authorize and execute a resolution accepting Shetland Trail, Thoroughbred Trail, Appaloosa Trail, Welsh Trail, and Gere Lane into the County Road Maintenance System – Commission District 4.

RECOMMENDATION: Approval

Tab 18 Approval of a Resolution authorizing the posting of “No Trucks” (symbol) with “Over 4 Tons” and “Local Delivery Only” signs on Washington St. (1643), North Grassy Lake Rd. (1944), and posting advance “No Trucks” (symbol) with “Over 4 Tons”, “Local Delivery Only”, and Washington St. street sign for Washington St. posted on CR 50/Old Hwy. 50 (1551), east and west of Washington St. in the Minneola area.

RECOMMENDATION: Approval

Tab 19 Approval and signature on Resolution authorizing the posting of speed limit signs on the following roads in the Hilltop Subdivision – Commission District 4.

Gere Lane (4787C)	Thoroughbred Trail (4787A)
Shetland Trail (4787)	Welsh Trail (4787B)

RECOMMENDATION: Approval

Tab 20 Authorization to accept the final plat for Williams Place, which consists of 16 lots, and all areas dedicated to the public as shown on the Williams Place plat – Commission District 2.

RECOMMENDATION: Approval

Tab 21 Approval and authorization for Chairman to execute satisfaction of liens for the fourteen road assessments:

#690010 Lorraine C. Eckley	#702018 Ross H. Orris
#690011 Lorraine C. Eckley	#702109 Martin J & Nancy Levesque
#694019 Nancy E. Keener	#702023 Deborah Weichel
#694080 William G. & Loretta Snyder	#702034 Lori S. McElmurry
#694181 Charles McCann	#702035 Frank & Kay Williams
#694207 Michelle M. Truesdell	#702045 David C. Hite
#696035 Robert L. Chaney, ET AL	#696040 Valerie Horn

RECOMMENDATION: Approval

Tab 22 Approval of an extension for Capital Improvement Projects and Regional Project from Fiscal Year 2005/2006 for the following municipalities and authorization for the Chairman to execute the Amendments to Agreements when submitted:

City of Leesburg (Commission District 1)	\$ 15,000.00
Town of Lady Lake (Commission District 5)	\$ 38,982.00
City of Mount Dora (CIP- Commission District 4)	\$ 36,850.00
City of Mount Dora (Regional-Commission District 4)	\$150,000.00
City of Clermont (Commissioner District 2)	\$ 20,000.00

RECOMMENDATION: Approval

V. **COUNTY ATTORNEY CONSENT AGENDA** (Tabs 23 through 25)

Tab 23 Approval to execute Perpetual Right-of-Way Easement with Sumter Electric Cooperative, Inc. for the Lake Jem Fire Station property.

RECOMMENDATION: Approval

Tab 24 Approval of Second Amendment to the Lease Agreement between Lake County and James Meadows for lease space for the Clerk's Office, Sunnyside Plaza, 1206 Bowman Street, Clermont.

RECOMMENDATION: Approval

Tab 25 Approval to advertise an Ordinance Creating Proportionate Fair Share Program to establish a method for mitigating impacts of new development on transportation facilities.

RECOMMENDATION: Approval

VI. **AWARDS**

EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Donna Bailey, GIS Analyst/Stormwater, Public Works/Engineering/Stormwater

Dennis Martino, Equipment Operator I, Public Works/Road Operations

Robert Henderson, Equipment Operator III, Public Works/Road Operations

Presentation of Award to Employees with Ten Years of Service

Dondre Collins, Environmental Technician, Environmental Services/Hazardous Waste

Harrie Edwards, Landfill Attendant Supervisor, Environmental Services/Solid Waste Disposal Operations

Presentation of Award to Employees with Fifteen Years of Service

Bruce Talbot, Firefighter/Mechanic, Public Safety/Fire

Presentation of Award to Employee with Twenty Years of Service

Thomas Mitchell, Fire Lieutenant/EMT, Public Safety/Fire Rescue

Presentation of Award to Retiring Employees

Judy Evans, Expo Center/Fairgrounds Director, Tourism and Business Relations, Fairgrounds

Employee of the Quarter – Third Quarter

Roseann Johnson, Contracting Officer, Procurement Services

Supervisor of the Quarter – Third Quarter

Cindy Heffler, Customer Services Specialist III, Environmental Services/Solid Waste Operations

VII. PRESENTATIONS

Tab 26 Presentation by Tavares High School Service Learning Class and approval and execution of a Proclamation for November 15th as Lake County Recycles Day.

Discussion of the Performing Arts Center at Lake Sumter Community College

VIII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Budget

Tab 27 Consider request for refund of school impact fee by Mr. John Nuedorff – Commission District 1.

RECOMMENDATION: DENIAL

Employee Services

Tab 28 Recommend approval of the Sick Leave Bank Policy

Procurement

Approval of contract for Ajax Building Corporation to act as Construction Manager for the South Tavares complex. Contract will be distributed under separate cover.

Public Works

Tab 29 Approval and signature of Chairman on the agreement between Lake County and the Vistas Homeowners Association, Inc. – Commission District 2.

IX. OTHER BUSINESS

Tab 30 Appointment affirmation of Cheryl Coco as the Lady Lake Public Library's member representative on the Lake County Library Advisory Board to complete an unexpired term ending February 28, 2008.

X. REPORTS

County Attorney

Tab 31 Approval of amendment to Interlocal Agreement authorizing the Central Lake CDD to serve additional area with utilities.

County Manager

Expression of appreciation to Commissioner Catherine Hanson and Commissioner Bob Pool for their years of service to the citizens of Lake County.

Commissioner Hill – District #1

Commissioner Pool – District #2

Commissioner Stivender – District #3

Commissioner Hanson – Chairman and District #4

Presentation of Points of Light Volunteer Award to Chandler Watkins for his service to the community.

Commissioner Cadwell – District #5

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

NOVEMBER 21, 2006

9:00 A.M. Regular Meeting

9:00 A.M. PUBLIC HEARING: Proposed Ordinance amending Section 14.11.00 of the Land Development
or as Soon Regulations to allow Fractional Sections in lots five acres or larger created through the Minor and
Thereafter Agriculture lot split process.

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TENTATIVE AGENDA

NOVEMBER 28, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

DECEMBER 5, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

DECEMBER 12, 2006

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

DECEMBER 19, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

JANUARY 2, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

JANUARY 9, 2006

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

JANUARY 16, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

JANUARY 23, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

FEBRUARY 6, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

FEBRUARY 13, 2006

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

FEBRUARY 20, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

FEBRUARY 27, 2006

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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